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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,732	03/06/2002	Shunichi Miyako	2936-0150P	5199

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EXAMINER

NGUYEN, ANTHONY H

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,732

Applicant(s)

MIYAKO ET AL.

Examiner

Anthony H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

- (e) the invention was described in-
- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1,3,5,12,14,16,20,24,26 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Kamishima (US 6,529,370).

With respect to claims 1,12,16, 20 and 30, Kamishima teaches a keyboard slide mechanism having a rotary member 25c (Kamishima, Fig.6), a converting means 31 which includes a movement magnifying means 25b, 26 securing to a sliding member 3 so as to raise or low the key tops 2.

With respect to claims 3 and 14, each key switch 10 of Kamishima is provided with linking members 13 as shown in Fig.2.

With respect to claims 5,n Kamishima teaches the slide member which is slid parallel to a rotation shaft of the rotary member (Kamishima, col.7, lines 60-62).

With respect to claims 24 and 26, the keyboard slide mechanism of Kamishima has two portions 33 and 26b which are operated in synchronism (see Kamishima, Figs. 6 and 7).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18 and 22 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Kamishima (US 6,529,370).

Kamishima teaches all that is claimed, except for the predetermined angle of the lid portion which fulfills the conditional formula. However, it would have been to one of ordinary skill in the art to raise the lid portion to an operative angle or predetermined angle according to the thickness of an operator's finger in Kamishima so as to efficiently type on the keyboard. Note that there is no apparent novelty or unobviousness in the structure claimed by applicant relative to the structure of the prior art since the thicknesses of fingers are various relative to the weights of various people, it is not seen how the predetermined angle as provided by both applicant and the applied prior art can result in any thing other than an approximation which will be more or less accurate for any given person.

Claims 2,4,6-11,13,14,15,17, 19,21, 23,25,27-29 and 31 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Kamishima (US 6,529,370) in view of Merket (US5,768,094).

With respect to claims 2 and 13 Kamishima teaches all that is claimed, except for the lever member for magnifying the translating movement. Merket teaches a keyboard slide mechanism 52 (Merket, Fig.1) having a lever member 164 (Merket, Fig.12) for magnifying the translating movement to a slide member 48. In view of the teaching of Merket, it would have

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been to one of ordinary skill in the art to modify the slide mechanism of Kamishima by substituting the lever member as taught by Merket for quickly mounting the slide member to the slide mechanism in place of the angle plate 27 of Kamishima.

With respect to claims 4 and 15 see the discussion regard to claims 3 and 14 above.

With respect to claim 6, see the discussion regard to claim 5 above.

With respect to claim 7, the selection of a desired thickness of the lever member relative to the cam member would be obvious through routine experimentation in order to provide a strong link to move the slide member.

With respect to claims 8-11, Kamishima teaches the cam member 25 that rotates with the rotating member 25c and the second cam 26a,b which is translated or slid along the rotational axis of the rotating member by the cam member 25 (Kamishima, Figs.6 and 7).

With respect to claims 19, 22 and 23, see the discussion regard to claim 18 above.

With respect to claims 21, 25 and 27, see the discussion regard to claims 24 and 26 above.

With respect to claims 28,29 and 30, the use of an alerting means for indicating that the lid portion including a display portion which is opened is well known in the art.

Conclusion

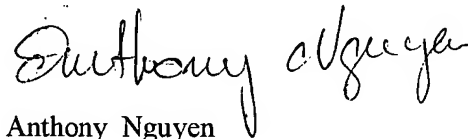
The patents to Takagi et al., Sato, Hosoya, Watanabe et al., Hsu are cited to show other structures having obvious similarities to the claimed structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (703) 308-2869. The examiner can normally be reached daily from 9 AM to 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (703) 305-6619. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read "Anthony Nguyen", is positioned above the printed name.

Anthony Nguyen

9/25/03

Patent Examiner

Technology Center 2800